

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

**N.M., a minor, by and through  
his mother, Tameika Montgomery**

**PLAINTIFF**

v.

**No. 1:21-CV-175-SA-RP**

**ALLAN BENJAMIN GOLD, et al.**

**DEFENDANTS**

**Consolidated with**

**CAROLYN COBB, individually and  
as next friend of K.C., a minor**

**PLAINTIFF**

v.

**No. 3:21-CV-258-NBB-RP**

**ALLAN BENJAMIN GOLD, et al.**

**DEFENDANTS**

**ORDER CONSOLIDATING CASES**

The Defendants in these two actions have filed an unopposed motion to consolidate the two cases. Federal Rule of Civil Procedure 42(a) provides that “actions before the court [which] involve a common question of law or fact . . . may [be] consolidate[d].”

Each case contains similar factual allegations involving the same car accident that occurred in Desoto County, Mississippi. The cases involve the same defendants, facts, and similar causes of action, and will undoubtedly result in the same witnesses and discovery. A review of the cases makes clear that consolidation is warranted in the interest of judicial economy.

For these reasons, Defendants’ motion to consolidate is GRANTED. Accordingly, Civil action number 1:21-CV-175-SA-RP, styled as *Montgomery v. Gold, et al.*, is hereby consolidated for all purposes, including trial, with civil action number 3:21-CV-258-NBB-RP, styled as *Cobb v. Gold, et al.* Civil action number 1:21-CV-175-SA-RP is designated as the lead case.

The participants and counsel are directed to indicate in the caption of all documents filed with the court both the lead case number and the consolidated case number in the same manner as

indicated in the caption of this order. Counsel for all parties are directed to docket and file all documents in the lead case unless directed otherwise. Documents may be filed in both cases so long as counsel places the words “FILED IN ALL CASES” in the caption under the last case number and electronically files the document in each and every case which the document is to be filed or appropriately spreads the filing according to the court’s electronic case management and filing system. Counsel are responsible for accurately and correctly following these requirements in all filings via the court’s electronic case management system.

Additionally, Defendant Gold is named differently in the two referenced cases. In the lead case, he is named as Benjamin Allan Gold; in the consolidated case, he is named as Allan Benjamin Gold. The undersigned’s staff confirmed with counsel for the defendants that the Defendant’s name is Allan Benjamin Gold. The clerk of court is directed to make this correction on the docket in the lead case, 1:21-CV-175-SA-RP, and counsel for the parties are directed to use the correct name for Defendant Gold in all future filings.

**SO ORDERED**, this the 29th day of April, 2022.

/s/ Roy Percy  
UNITED STATES MAGISTRATE JUDGE